

1 Tanya E. Moore, SBN 206683
MOORE LAW FIRM, P.C.
2 300 South First Street, Suite 342
San Jose, California 95113
3 Telephone (408) 298-2000
Facsimile (408) 298-6046
4 E-mail: service@moorelawfirm.com

5 Attorney for Plaintiff
Jose Trujillo
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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10)	
11	JOSE TRUJILLO,)	Case No. 1:22-cv-00644-ADA-SKO
12)	
12	Plaintiff,)	PLAINTIFF’S SECOND REQUEST FOR
13	vs.)	ADMINISTRATIVE RELIEF FROM
13)	SERVICE DEADLINE; ORDER
14	ARMANDO AMADOR dba MARISCOS EL)	
15	PICUDO; CATHERINE L. MELLOW;)	(Doc. 14)
15)	
16	Defendants.)	
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18)	

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20 **WHEREAS**, on May 27, 2022, Plaintiff, Jose Trujillo (“Plaintiff”), filed the instant
21 action alleging claims under Title III of the Americans with Disabilities Act of 1990 and
22 parallel California law (ECF No. 1). On May 31, 2022, an order setting mandatory scheduling
23 conference was issued (ECF No. 3) (“Order”). The Order required that all defendants be served
24 with the complaint no later than August 25, 2022;

25 **WHEREAS**, Defendant Catherine L. Mellow (“Defendants”) has not yet appeared in
26 this action;

27 **WHEREAS**, Plaintiff has been diligently attempting to serve Catherine L. Mellow
28 with the Summons and Complaint, but has not been able to effect service to date;

PLAINTIFF’S SECOND REQUEST FOR ADMINISTRATIVE RELIEF FROM SERVICE DEADLINE;
ORDER

1 **WHEREAS**, Plaintiff has attempted to serve Catherine L. Mellow at 9580 Dougherty
2 Avenue, Morgan Hill, CA 95037, but according to the process server, the property is gated,
3 there is no access, unable to enter residence with no access; however, the process server saw
4 vehicles parked in the drive-way;

5 **WHEREAS**, Plaintiff conducted research for a new address to serve Catherine L.
6 Mellow and provided One Legal the process server with instructions to serve Defendant at
7 18303 Llagas Court, Morgan Hill, CA 95037. The process server was not able to complete
8 service due to a gated property with no access to the residence;

9 **WHEREAS**, Plaintiff requested a stake-out on Catherine L. Mellow at 9580 Dougherty
10 Avenue, Morgan Hill, CA 95037;

11 **WHEREAS**, Plaintiff was informed that the stake-out failed due to no activity at the
12 residence;

13 **WHEREAS**, Plaintiff requested that First Legal and Investigations conduct a skip trace
14 on Catherine L. Mellow, in which, the address for service on Ms. Mellow is likely at 18303
15 Llagas Court, Morgan Hill, CA 95037;

16 **WHEREAS**, Plaintiff has requested that First Legal and Investigations begin
17 surveillance and field investigation on Catherine L. Mellow at 18303 Llagas Court, Morgan
18 Hill, CA 95037 that is pending;

19 **NOW, THEREFORE**, for the reasons set forth above, Plaintiff respectfully requests
20 that he be given to and including December 23, 2022 to effect service of his Complaint on
21 Defendants.

22
23 Dated: October 25, 2022

MOORE LAW FIRM, P.C.

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25 /s/ Tanya E. Moore
26 Tanya E. Moore
27 Attorney for Plaintiff,
28 Jose Trujillo

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ORDER

Upon the foregoing request of Plaintiff for administrative relief (Doc. 14) and good cause appearing,

IT IS HEREBY ORDERED that the time within which Plaintiff must serve the complaint on Defendants Armando Amador dba Mariscos El Picudo; and Catherine L. Mellow is EXTENDED to December 23, 2022.

IT IS SO ORDERED.

Dated: **October 28, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE